

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, Fifth Floor
Post Office Box 45029
Newark, New Jersey 07101
Attorney for the State Board of Optometrists

FILED
BOARD OF PHYSICAL THERAPY

SEP 10 2008

By: Carmen A. Rodriguez
Deputy Attorney General
(973) 648-3696

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF PHYSICAL THERAPY EXAMINERS

IN THE MATTER OF THE LICENSE OF :

Administrative Action

MARISSA M. MUCCIO, P.T. :
License NO:40QA00794200 :

CONSENT ORDER

TO PRACTICE PHYSICAL THERAPY :
IN THE STATE OF NEW JERSEY :

This matter was opened by the State Board of Physical Therapy Examiners (hereinafter referred to as the "Board") following the Board's review of the application for reinstatement of the license to practice physical therapy in New Jersey submitted on March 20, 2008 by Ms. Marissa Muccio, P.T. (hereinafter referred to as the "Respondent.").

The reinstatement application included respondent's affidavit that acknowledges that she continued to practice physical therapy after the expiration of her license on January 31, 2008 until March 18, 2008 in private practice when she discovered that the check she issued to cover the renewal fee was not cashed. Respondent has provided the Board assurances that she has ceased to engage in the active practice of physical therapy until her license is reinstated.

Respondent also submitted documentation that she completed a continuing education course (which was not pre-approved by the Board) over several months concluding in December 2005 which was offered by the Neuro-Development Treatment Association which granted her 265 credits and a continuing education course given on November 5, 2006 which was previously approved by the Board for six (6) continuing education credits. Upon a review of all of the submissions, the Board finds that the course given by Neuro Development Treatment Association does not qualify as it was taken in December 2005 which was prior to the renewal period in question. The thirty (30) continuing education credits for licensure renewal for the 2008-2010 renewal period were to be obtained in the two years preceding January 31, 2008. To qualify the continuing education courses had to be taken between February 1, 2006 and January 31, 2008. Therefore the Board found that the conduct detailed above establishes a basis for disciplinary

action as the Respondent did not meet the requirements for reinstatement of the license to practice physical therapy in New Jersey as she had not obtained the thirty (30) requisite continuing education credits within the two years preceding the renewal period and she is short twenty-four (24) continuing education credits pursuant to N.J.S.A. 45: 9-37.34(d), N.J.A.C. 13:39A-5A.3 and N.J.A.C. 13:39A-9.1 et. seq.

It appearing that the respondent desires to resolve this matter without further proceedings; and the respondent acknowledging and not contesting the findings of fact and conclusion of law made by the Board; and the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare; and for good cause shown:

ACCORDINGLY, IT IS ON THIS 10th DAY OF, 2008^{1 SEPTEMBER}

ORDERED that:

1. The Respondent's license to practice physical therapy shall be reinstated on the condition that the Respondent submits documentation that she has satisfactorily completed the twenty four (24) continuing education credits as required by N.J.S.A. 45: 9-37.13 and N.J.S.A. 45: 9-37.34(d) within thirty days (30) of the filing date of this order. Failure to comply with this condition will

result in the immediate suspension of the Respondent's license to practice physical therapy in New Jersey.

2. The 24 continuing education credits taken as part of this action these credits shall not qualify to fulfill the mandatory continuing education requirements for the

2011-2013 renewal period pursuant to N.J.A.C. 13:39A-9.2(d).

3. Respondent is cautioned in the future to obtain the requisite continuing education courses within the preceding renewal period as required by N.J.S.A. 45:9-37.13 N.J.A.C. 13:39A-9.1

4. Respondent is hereby assessed a civil penalty in the amount of \$500.00 for her failure to obtain the thirty (30) continuing education credits within the preceding biennial licensure renewal period.

5. Payment shall be made by certified check or money order immediately upon accepting and signing of this Consent Order and sent to the attention of Lisa Petrowski, to the Board of Physical Therapist Examiners, P.O. Box 42014, Newark, New Jersey 07101.

6. Failure on the part of the respondent to pay the civil penalty timely or to comply with any of the terms of this Consent Order would constitute a violation of the Order, proof of which would constitute grounds for further disciplinary action by the Board.

NEW JERSEY STATE BOARD
OF PHYSICAL THERAPY EXAMINERS

By: D. Q. K. O. PC 700900099100
Nancy Kirsch, P.T., Ph.D
Chair

I have read and understand the within
Consent Order and agree to be bound
by its terms. Consent is hereby given
to the Board to enter this Order.

Marissa M. Muccio
Marissa M. Muccio, P.T.

DATED: 5/16/08